

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
	§	
vs.	§	Criminal No. C-05-542
	§	
DELVIN DEMON MOORE,	§	
MONICA COLEMAN,	§	
TAMIKO NANNETTE PATTON,	§	
KELA COLLINS,	§	
DELVECCIO NEFF,	§	
MARTE SILGUERO, and	§	
BRENDA ROSE ANDERSON,	§	
	§	
Defendants.	§	

**ORDER DENYING MOTION TO TRANSFER
AND GRANTING MOTION TO CONTINUE**

On this day the Court held a Final Pretrial Conference in the above-styled action. The Court made the following rulings at the conference:

1. Defendant Delvin Moore filed a Motion to Transfer the above-styled criminal action to the Eastern District of Louisiana (D.E. 192). In this motion, Defendant sought a transfer on the grounds that "witnesses are not available to travel to Texas or in the alternative, that trying this case in Texas will jeopardize Defendant's rights to call these witnesses on his behalf." (Def.'s Mot. at p. 2.) Defendant, however, did not provide any legal authority supporting his motion to transfer the case, nor did Defendant's motion identify the allegedly-unavailable witnesses or state the reasons for their unavailability. At the hearing, Mr. Mark E. Sossi, attorney

for Defendant, admitted that he filed the motion without actually speaking to the witnesses to determine their availability. Rather, Mr. Sossi stated that he filed the motion based solely on the representation of Mr. J. David Bourland, a former attorney for Defendant who was removed from the case for having a non-waivable conflict of interest. Defendant's motion is therefore DENIED as frivolous and without merit. The Court's *sua sponte* consideration of sanctions against Mr. Sossi is carried forward until the next hearing in this case.

2. Defendant Delveccio Neff filed an Unopposed Motion to Continue the trial (D.E. 194), in which all Defendants joined. The Court, finding that the ends of justice will be served by a continuance, GRANTS Defendant's Motion. The above-styled action is therefore CONTINUED. The Final Pretrial Conference is set for Wednesday, May 17, 2006, at 8:30 a.m. Jury Selection is set for Friday, May 19, 2006, at 8:00 a.m.

SIGNED and ENTERED on the 3rd day of April, 2006.

A handwritten signature in black ink that reads "Janis Graham Jack". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Janis Graham Jack
United States District Judge